

## A WAY OF ARGUMENTS

Counsel Address the Jury in the Hamilton Trial.

## FLOODS OF ELOQUENCE

LET LOOSE IN A CROWDED COURT ROOM.

Assistant County Attorney Putnam opened the arguments for the state in the Hamilton murder case at 9:30 o'clock yesterday morning. He spoke until about 11:15 and then Attorney Fred T. McGurkin addressed the jury for an hour on behalf of Mrs. Hamilton. At 2 o'clock after the usual recess, Judge Powers commenced his argument for the defense and at 5 o'clock when court adjourned, he was still talking and will finish his address this morning, after which County Attorney Van Cott for the prosecution will close the case. It may be expected that the trial will continue until this afternoon. The court room was crowded to suffocation all day.

MR. PUTNAM OPENS.

Mr. Putnam made a cool and argumentative address. He began by picturing the heinousness of the crime of murder and then told the jury that they had not to judge of the deceased by his own statements. His voice is silenced, but judging him by his accuser, this woman, take her testimony, and it shows that she was a noble, an honest, generous, most exemplary man. He took an unusual pride and pleasure in his home and in his wife, but his ideal was shattered, everything that he held dear was swept away. He found that his wife was the mistress of another. The nobility of his character is shown by his actions, after he made the discovery of her infidelity. He did not beat, abuse or threaten her, who had done him that worst wrong. He did not drive her from the house, but talked to her in a respectful and to tell her that she was a sinner, and that her husband had been deceived by her. He did not drive her from the house, but talked to her in a respectful and to tell her that she was a sinner, and that her husband had been deceived by her.

The story about Hamilton taking her by the hair of the head and throwing her on the floor, Mr. Putnam characterized as a fabrication, a tale invented to tell her that she was a sinner, and that her husband had been deceived by her. He did not drive her from the house, but talked to her in a respectful and to tell her that she was a sinner, and that her husband had been deceived by her.

Mr. Putnam said, was only when Mrs. Hamilton said her husband had told her to go to Pavey if she wanted to see him, and that she had done so. Following up the line of Hamilton's kindly and considerate treatment of the woman who had deceived him, Mr. Putnam said that it was impossible that he could have made the attack upon her and shot at her on the night that he was killed, and insisted that the defendant's story of the murder was a fabrication pure and simple. The love which the defendant professed to have for her husband, Mr. Putnam said, was only when Mrs. Hamilton said her husband had told her to go to Pavey if she wanted to see him, and that she had done so.

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Royal Baking Powder Co., New York.

every one must feel more sympathy for her than they would for a man under the same circumstances. This woman's crime was not a crime of passion, it was a crime of weakness. It is not broken that gentle woman must don the black cap and swing on the gallows as a man would have to do. That is why I feel that the jury should be lenient to her.

MR. FRED T. MCGURKIN.

The address of Attorney Fred T. McGurkin made it said to be his maiden effort before a jury, at least in the first very important case the young attorney has had. He did himself great credit both in the matter of his argument and the manner of his delivery, and his address was well received by the jury.

He began by asking the jury to do their duty as they had sworn, he asked that they should not be swayed by the emotions of the moment, but that they should judge the case on its merits. He then referred to the opening statement of the prosecution, in which they said they would prove that with malice aforethought and with premeditation the defendant had killed and murdered her husband John H. Hamilton. Mr. McGurkin held that the prosecution had utterly failed to show malice or anything approaching it.

It is neither my purpose nor is it my inclination, said counsel, to detract one shade from the character of John H. Hamilton, but his wife must not be judged by the standard of a virtuous woman. She was a woman who had been deceived by her husband, and she was a woman who had been deceived by her husband. He did not drive her from the house, but talked to her in a respectful and to tell her that she was a sinner, and that her husband had been deceived by her.

Mr. McGurkin referred to the testimony of A. H. Kelly and Justice Somers and referred to both in most emphatic terms. Mr. and Mrs. Seddon, the brother-in-law and sister of the defendant, for testifying against her. He said never in the history of American jurisprudence had a sister been convicted of the murder of her brother, and he said that it was impossible that she could have made the attack upon her and shot at her on the night that he was killed, and insisted that the defendant's story of the murder was a fabrication pure and simple.

Four witnesses had testified in substance that Mrs. Hamilton had bought the cartridges in the afternoon, which as a matter of fact, it was in the forenoon, Counsel illustrated from this the distrust of the jury relying on circumstantial evidence, and especially such "rotten" circumstances as to establish the case.

Mr. McGurkin, in proof that Mrs. Hamilton contemplated suicide, referred to which Mrs. Seddon on several occasions had observed her sister, Mrs. Hamilton, had taken poison, and she was sleeping heavily on the lounge in the afternoon, and she was sleeping heavily on the lounge in the afternoon, and she was sleeping heavily on the lounge in the afternoon.

Counsel reviewed the testimony of the Seddons, and pointed out its many inconsistencies and contradictions, especially the testimony given at the coroner's inquest, and that after she had got through with him Seddon wouldn't have a chance to talk to him and the fact of her buying the cartridges were enlarged upon, and he said that Mrs. Hamilton contemplated suicide and bought the cartridges with the intent of taking her own life and had stated that she would never live through a divorce was discarded by counsel.

Counsel argued that the Seddons had no object for testifying falsely at the trial, that they had no desire to see the defendant sent to the penitentiary for years, or even for life. All suspicion of Seddon's complicity in the crime were removed, and Seddon and his wife had absolutely no motive for telling a story that would send the defendant to the penitentiary for years, or even for life. All suspicion of Seddon's complicity in the crime were removed, and Seddon and his wife had absolutely no motive for telling a story that would send the defendant to the penitentiary for years, or even for life.

Mr. McGurkin concluded by a fine peroration. John H. Hamilton is alone in his grave among the pillars in the city of the dead with the nightingales singing their requiem to the foot of the Wasatches, but yet he is not alone, for the heart of this woman is with him in the grave. She loved him in life and she loves him still and her heart is buried with him. You cannot give her liberty and you ought to do it.

JUDGE POWERS.

Judge Powers talked ably and eloquently for three hours. He said he was the right word for his address was a masterpiece and no synopsis could give an adequate idea of the force, substance and effect of his remarks. The most striking references made by him are touched on as follows:

The judge said he approached the argument feeling deeply the responsibility resting upon him, for a human life was at stake, and he was not to be swayed by the emotions of the moment, but that they should judge the case on its merits. He then referred to the opening statement of the prosecution, in which they said they would prove that with malice aforethought and with premeditation the defendant had killed and murdered her husband John H. Hamilton. Mr. McGurkin held that the prosecution had utterly failed to show malice or anything approaching it.

of this girl in the hands of 12 good and true men, who will pass justly upon it. The state has presented its case without malice and with fairness with a view to securing the truth, and it is fortunate for her that it is so. My associate has depicted the scenes of the story so graphically that I feel only to rise and say that our case has been presented already.

The law knows no difference between a man and a woman. This girl stands here to be acquitted or convicted as a man would be. And she stands here to be acquitted or convicted as a man would be. And she stands here to be acquitted or convicted as a man would be. And she stands here to be acquitted or convicted as a man would be. And she stands here to be acquitted or convicted as a man would be.

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## UNION PACIFIC SALE

Russell Sage Says He Is Not Forming Any Syndicate.

## MONTANA UNION'S GAME

ITS HOLD UP METHODS BLOCKED BY THE SHORT LINE.

Made a Bold Play, But Backfired and Eccles Wore on the Spot and Called for a Show Down—Lower Rates on Furniture From Chicago—The Deep Creek Road.

New York, Oct. 22.—Russell Sage makes emphatic and specific denial today of the report that he is at the head of an organized pool to buy in the Union Pacific road. "The report is absolutely without foundation," said Mr. Sage. "I have not been invited to form a Union Pacific syndicate by President McKim. No subscription to the amount of \$1,000,000 or any other sum has been made by me. I know of it. I have not subscribed any sum. I am not going to Washington. I have not been invited by the board of directors of the Union Pacific to go there by important outside interests. There is so much feeling among certain outside interests that it may be taken to postpone the sale of the Union Pacific property until all the facts are thoroughly understood."

There is nothing uncertain about my attitude in this Union Pacific affair," Mr. Sage said. "I am not going to go there by important outside interests. There is so much feeling among certain outside interests that it may be taken to postpone the sale of the Union Pacific property until all the facts are thoroughly understood."

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## BROUGHT TO RAY.

The Hold up Methods of the Montana Union Stopped.

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## Hood's

Sarsaparilla

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## OREGON SHORT LINE RAILROAD.

Trains arrive and depart at Salt Lake City daily.

## ARRIVE.

From Chicago, Omaha, St. Louis, Kansas City, Denver, Park City and Ogden.

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